

REMARKS

Claims 1-50 are pending. Claims 8, 33, 48 and 50 are amended herewith. Claim 30 is cancelled herewith. Thus, claims 1-29 and 31-50 are pending and under examination. Please consider the following remarks.

The present invention relates to a razor that includes a handle, a head mounted on the handle, and within the head, a phase change material. A phase change material is a material that stores latent heat when melted and releases that heat during recrystallization. Melting a phase change material is known as "thermally charging" the material. In the case of the present invention, the phase change material can be thermally charged by, for example, running the razor under hot water.

Drawings

The drawings are objected to under 37 CFR 1.83(a) as failing to show every feature of the invention specified in the claims. It is asserted that the heat transfer fins recited in claim 30 must be shown in the drawings or cancelled from the claim. To expedite prosecution, Applicants have cancelled claim 30, thereby obviating this rejection.

Specification

The disclosure is objected to because reference number 24 (on page 4) is not shown in any drawings. This objection has been met by amending Fig. 2A to number the recess 24 disclosed on page 4 of the specification.

35 U.S.C. 112, first paragraph

Claim 30 is rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claim 30 is cancelled, rendering this rejection moot.

35 U.S.C. 112, second paragraph

Claims 8, 30, 33, and 48-50 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 8, the phrase "a sufficient quantity" is objected to as being vague and indefinite. This objection has been met by amending claim 8 to recite a razor where the head contains a

quantity of the phase change material such that not all of the phase change material will melt under normal use conditions. One of skill in the art can readily determine the quantity of phase change material that would meet this limitation, for example, (referring to the specification at page 9, lines 4-12), by testing a particular razor under normal use conditions, i.e., holding the razor head under hot tap water (about 40-50 °C) for a relatively short period of time, and determining whether all of the phase change material melts. The recited quantity is qualified by a definite condition, i.e., less than all of the phase change material being melted, which can be readily determined by one of skill in the art based on the melting point of the phase change material. Accordingly, Applicants assert that amended claim 8 is clear and definite.

In claim 30, the phrase "the cartridge" is objected to as lacking antecedent basis. Claim 30 is cancelled, rendering this rejection moot.

In claim 33, the phrase "the user's skin" is objected to as lacking a clear antecedent basis. This objection has been met by amending claim 33 to recite a user's skin.

In claim 48, the phrase "the skin" is objected to as lacking antecedent basis. Claim 48 is amended to recite a method for shaving a mammal having a skin, thus providing antecedent basis for the phrase "the skin."

In claim 50, the phrase "the user" is objected to as lacking a clear antecedent basis. Claim 50 is amended to remove the phrase "the user" thus rendering moot this objection.

35 U.S.C. 102

Claims 1, 31, 32, 37, 48, and 49 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,225,257 to Conill ("Conill"). It is asserted that Conill discloses a razor including a handle, a head mounted on the handle, and a phase change material within the head. Applicants disagree. Conill does not disclose a phase change material as asserted in the Office Action. A phase change material, as defined in Applicants' specification, is a material that stores latent heat when melted and releases that heat during recrystallization. The material disclosed in Conill is not a phase change material. The material disclosed in Conill is not melted, but is rather dissolved in water. For example, Conill states that "[t]he chemical compound 8 may be of any composition which will generate or produce heat *when combined*

with water.” (Emphasis added. Conill p. 2, col. 1, lines 17-21.) Indeed, Calcium Oxide, which Conill notes is well adapted for this purpose, has a melting point of 2572 °C. Because Conill does not disclose a phase change material as recited in claim 1, Conill does not anticipate claim 1 or those claims depending from claim 1. Accordingly, Applicants request that the rejection be withdrawn.

35 U.S.C. 103

Claims 2-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conill. To put forth a proper *prima facie* case of obviousness, the Examiner must provide evidence that the prior art reference (or references when combined) teach or suggest all the claim limitations. (See M.P.E.P. 2142.) As noted above, claims 2-8, all of which depend from claim 1, recite a phase change material. Conill does not teach or suggest a phase change material. Instead, Conill teaches the use of a material that generates heat when combined with water. Conill certainly does not teach or suggest the phase change material of claims 2 or 3 (i.e., a phase change material having a melting point between 30 and 50 °C), as the material disclosed in Conill has a melting point of 2572 °C. Accordingly, Conill does not teach or suggest every element as recited in claims 2-8 and Applicants request that the rejection be withdrawn.

Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Conill in view of U.S. Patent No. 4,692,986 to Motta *et al.* (“Motta”). Claim 33 is dependent from claim 1 and thus includes all of the features of claim 1. Conill does not teach or suggest each element of claim 1 as Conill fails to teach or suggest a phase change material. Motta discloses a razor cartridge having a shaving aid secured frictionally to a face-engaging surface. Motta does not cure the deficiency of Conill, as Motta fails to teach or suggest the use of a phase change material. Accordingly, the combination of Conill with Motta fails to provide a *prima facie* case of obviousness and Applicants request that the rejection be withdrawn.

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Applicants believe that no fee is due. However, if Applicants have reached this conclusion in error, please apply any charges or credits to deposit account 06-1050, referencing attorney docket number 00216-562001.

Respectfully submitted,

Date: 8/22/03

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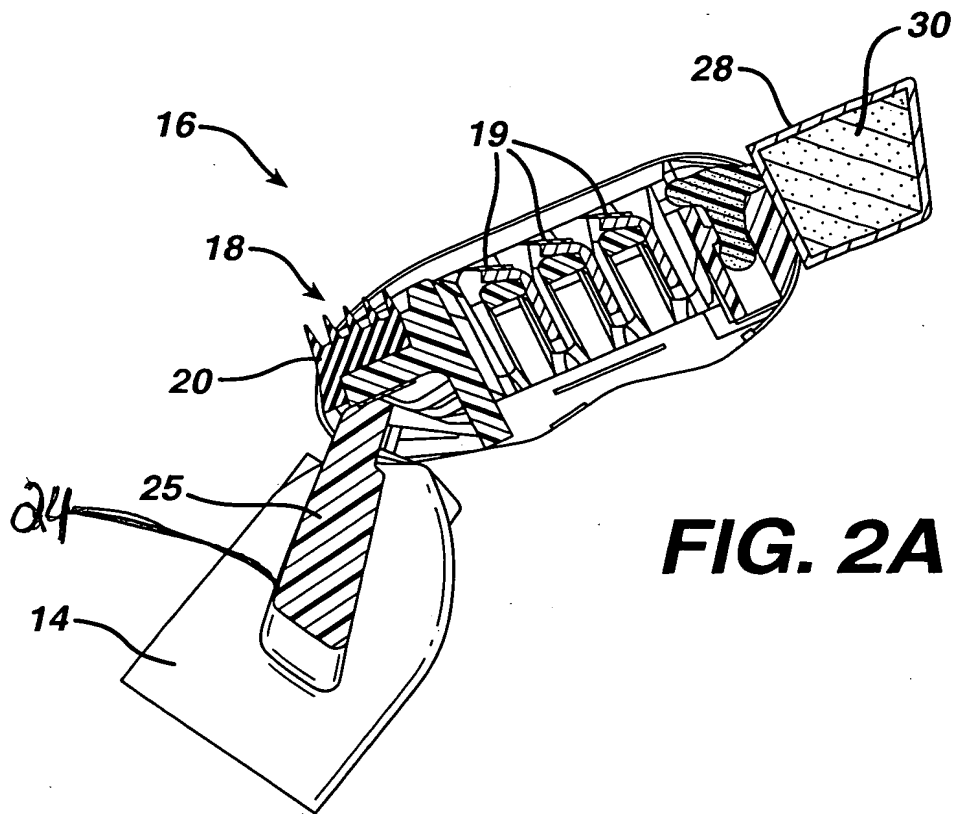


FIG. 2A

FIG. 3

